IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION NO.23387 of 2000

Between:

Saladi Venkateswara Rao, S/o. Satyanarayana Murthy,

Door No.12-175, Tapeswaram-533 340, E.G. District.

..... PETITIONER

AND

1. The District Educational Officer, East Godavari District, Kakinada.

2. The Mandal Educational Officer, Mandapeta Mandal,

Mandapeta, East Godavari District.

3. The Election Officer for election of the School Committee,

Zilla Parishad High School, Tapeswaram, Mandapeta Mandal,

East Godavari District.

(Petition against R-3 is dismissed for default as per Court order

dated 23.9.2004)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in nature of writ of mandamus declaring the action of the respondents in not permitting the petitioner to participate in the election to the School Committee of Zilla Parishad High School, Tapeswaram, Mandapeta Mandal, East Godavari District scheduled to be held on 05.12.2000 as

arbitrary, illegal and contrary to the provisions of the A.P. School Education (Community Participation) Act, 1998 with rules and consequently declare that the proceedings of the first respondent dated 15.9.1998 as illegal and contrary to the provisions of the said Act and set aside the same with a direction to the respondents to allow the petitioner to participate in the elections.

Counsel for the Petitioner: MR.T.V.S.PRABHAKARA RAO

Counsel for the Respondent NoS.1 and 2: G.P. FOR SCHOOL EDUCATION

The Court made the following:

ORDER:

The petitioner is a resident of Tapeswaram village of Mandapeta Mandal in East Godavari District. When the elections to School Education Committee under the provisions of the A.P. School Education (Community Participation) Act, 1998 (for brevity, 'the Act') were announced to be held on 05.12.2000, alleging that he is not being allowed to contest the elections, he filed the writ petition seeking a direction to the respondents to permit the petitioner to participate in the elections. This Court while admitting the writ petition on 30.11.2000 passed interim orders directing the respondent to permit the petitioner to participate in the elections of the school committee. As per Section 5 (4) of the Act, the term of elected school committee is two years and in that view of the matter, nothing survives in this writ petition.

The writ petition is therefore dismissed as infructuous.

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November 17, 2004. **V.V.S. RAO, J**

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To

1. The District Educational Officer, East Godavari District,

Kakinada.

2. The Mandal Educational Officer, Mandapeta Mandal,

Mandapeta, East Godavari District.

3. Two CCs to the Government Pleader for School Education,

High Court Buildings, Hyderabad, (O.U.T)

4. Two C.D. Copies.